

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/941,792
Attorney Docket No. Q65934

REMARKS

I. Introduction

Pending claims 1-12 have been examined. Claims 1, 5-9 and 12 are allowed. Furthermore, the Examiner objects to claim 11 but acknowledges that it contains allowable subject matter. Claims 2-4 and 10, however, are rejected.

Specifically, claims 2-4 and 10 are solely rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

By way of overview, Applicant overcomes the § 112, second paragraph, rejections of claims 2-4 and 10, as set forth below, thereby placing the application (with claims 1-12) in condition for immediate allowance.

II. Allowable Subject Matter

As noted above, claims 1, 5-9 and 12 are allowed (*see* Office Action: page 4). Furthermore, the Examiner objects to claim 11 as being dependent upon a rejected base claim², such that claim 11 would be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. Because Applicant overcomes the rejection of claim 10, as set forth below, claim 11 should be allowed without rewriting it independent form.

² It appears that the Examiner is actually objecting to claim 11 as being dependent upon a rejected intervening claim, *i.e.*, claim 10.

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III. Claim Rejections -- 35 U.S.C. § 112, Second Paragraph

As noted above, claims 2-4 and 10 stand rejected under § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly' claim the subject matter which Applicant regards as the invention.

A. Claim 2

For claim 2, the Examiner alleges that the recitation "...comprising the sub-steps of precedently performing filtering for removing NTSC components from the signal of the pre-end of the equalizer..." is unclear in meaning (*see* Office Action: page 3). In the interest of expediting prosecution, Applicant amends claim 2 to further clarify the sub-steps recited in claim 2, thereby overcoming the §112, second paragraph, rejection of claim 2.

B. Claim 3

With respect to claim 3, the Examiner alleges that the recitation "...limiting the band of a baseband signal of sub-step (a3) and performing symbol timing recovery from the band limited signal; and p1 (a5) selecting one of the band limited signal of sub-step (a4)..." is unclear (Office Action: page 3). In particular, the Examiner states that the meaning of or reference to "p1" is unknown (*Id.*).

As an initial matter, it appears that the Examiner is referring to the claims as published in U.S. Patent Publication No. 2002/0024995 for the above-identified application. This patent publication, however, does not include the claim amendments presented in the Preliminary Amendment filed on November 19, 2001. Therefore, the Examiner is instructed to consider the actual claims of record in this case.

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Additionally, it is respectfully submitted that there is no “p1” reference in claim 3, either as originally filed or as amended in the Preliminary Amendment dated November 19, 2001. Thus, it appears that the “p1” reference was introduced by the Patent Office during the publication process. Therefore, the Examiner is requested to enter and consider the Preliminary Amendment dated November 19, 2001, which clarifies that no “p1” reference exists in claim 1, and also withdraw the §112, second paragraph, rejection of claim 3.

C. Claim 4

For claim 4, the Examiner alleges that the recitation "...controls the equalizer controlling mode into one mode of the equalizer modes including a blind mode and a training mode for the equalizer..." is unclear in meaning (Office Action: page 4). In the interest of expediting prosecution, Applicant amends claim 4 to further clarify the features of claim 4, thereby overcoming the §112, second paragraph, rejection of claim 4.

D. Claim 10

With respect to claim 10, the Examiner alleges that the recitation "...wherein said switching unit selects the output signal of the matched filter in the case that the NRF operates in an on-state, and selects the output signal of the equalizer in the case that the NRF does not operate in an off-state" is contradictory in nature, as the case of the NRF operating in the on-state is the same as when the NRF does not operate in the off-state (Office Action: page 4).

Again, it appears that the Examiner is referring to the claims as published in U.S. Patent Publication No. 2002/0024995 for the above-identified application, and not considering the claim amendments presented in the Preliminary Amendment filed on November 19, 2001. In

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particular, the language that the Examiner is referring to has already been clarified in claim 10. Thus, the Examiner is requested to withdraw the § 112, second paragraph, rejection of claim 10.

IV. Formal Matters

A. Priority

The Examiner acknowledges Applicant's claim for foreign priority under 35 U.S.C. § 119, including receipt of the priority document.

B. Specification

The Examiner alleges that the specification is replete with terms which are not clear, concise and exact, providing the following examples:

"...to control the equalizer to operate at one mode of a blind mode and a training sequence mode..." (Abstract);

"...a system initial operational time becomes shorter..." (Abstract);

"...is worldwide being commercialized..." ([0004], line 2); and

"...for realization of a digital broadcasting..." ([0004], lines 3, 4).

Thus, the Examiner states that the specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph.

Applicant respectfully submits, however, that the specification currently satisfies the requirements of 35 U.S.C. § 112, first paragraph, in that it contains "a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most

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nearly connected, to make and use the same. . ." (*see* 35 U.S.C. § 112, first paragraph).

Furthermore, Applicant amends the specification (including the Abstract) to address the exemplary terms/phrases noted by the Examiner.

Thus, the Examiner is requested to withdraw the objections to the specification.

C. Abstract

The Examiner objects to the Abstract at least because it exceeds 150 words. Applicant replaces the original Abstract with a new Abstract that does not exceed 150 words, thereby obviating the Examiner's objection.

D. Claims

The Examiner objects to claim 2 because it uses the acronym NTSC without first defining the acronym. Applicant amends claim 2 to overcome the Examiner's objection.

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V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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